IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 7819 of 2007(E)

PETITIONERS:

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1. K.C.VIJAYAN, S/O.CHELLAN,
KULAPURA HOUSE, PAZHATHARA, CHERAMANGALAM,
ALATHUR TALUK, PALAKKAD DISTRICT.

2. V.RAMAKRISHNAN, S/O.VASU, POOLAKKAD
HOUSE, CHERAMANGALAM P.O., ALATHUR TALUK,
PALAKKAD DISTRICT.

3. CHELLAKUTTY K., S/O.KASIM ROWTHER,
MEMBER OF WARD NO.XII, MELARKODE PANCHAYAT,
ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.P.R.VENKATESH

RESPONDENTS:

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1. THE SECRETARY, MELARKODE GRAMA
PANCHAYAT, ALATHUR TALUK, PALAKKAD DISTRICT.

2. SETHU, S/O.LATE ARU, CHERIAKOZHI PADAM,
MELARKODE, ALATHUR TALUK.

3. HASEEN, W/O.BASHEER, PALLIKADU,
MELARKODE, ALATHUR TALUK.

4. KUTTAN, S/O.PAZHANANDI,
KAITHONDA, MELARKODE, ALATHUR TALUK.

5. UDUMAN, S/O.KOYA ROWTHER,
KONNALLOOR, MELARKODE, ALATHUR TALUK.

6. CHANDRAN N., THEKKUMPURAM,
MELARKODE, ALATHUR TALUK.

7. RAMACHANDRAN, S/O.KOMPAYI,
KUNDUPARAMBU, MELARKODE, ALATHUR TALUK.

8. SATHISH KUMAR, S/O.SWAMINATHAN,
PUTHANTHARA, MELARKODE, ALATHUR TALUK.

9. RAJAMMA, W/O.CHENTHAMARA, ANTHAZHI,
MELARKODE, ALATHUR TALUK.

10. NABEESA, W/O.KHADER,
PUTHANTHARA, MELARKODE, ALATHUR TALUK.

11. THE OMBUDSMAN FOR THE LOCAL SELF
GOVERNMENT INSTITUTIONS, TRIVANDRUM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

PIUS C. KURIAKOSE, J.

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W.P.(C) No.7819 OF 2007

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DATED THIS THE 7TH MARCH, 2007

J U D G M E N T

The grievance of the petitioners who are elected members of Melarkode Grama Panchayat representing Wards Nos.6, 7 and 12 is that on account of the mala fide intention of the Panchayat of benefiting members belonging to the ruling party, eligible members belonging to the opposition party are either left out or are placed lower in the serial number so that there is no possibility whatsoever of members belonging to that party getting the benefit. Ext.P1 complaint has already been submitted to the Ombudsman for Local Self Government Institutions. The immediate grievance of the petitioners is that even as Ext.P1 is under consideration by the Ombudsman, the 1st respondent-Secretary of the Panchayat is taking hasty steps to disburse the funds to respondents 2 to 10 as per the list which is presently prepared by the Panchayat.

I do not propose to go into the merits of the matter. It is for the petitioners to file necessary applications before the Ombudsman before whom Ext.P1 is pending and get orders. I dispose of the Writ Petition directing the petitioners to file necessary interlocutory applications

before the Ombudsman. However, there will be a direction to the 1st respondent not to disburse any benefit to respondents 2 to 10 on the basis of the list of beneficiaries which is impugned in Ext.P1 for a period of two weeks from today.

(PIUS C. KURIAKOSE, JUDGE)

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